States has held that when a corporation, in operation, finds it necessary to recuperate its business and can only sell bonds by giving stock as a bonus, the price given for the bonds is taken as a fair value for both the bonds and stock, and such bondholders are not liable further on the stock. *Handley* v. *Stutz,* 139 U. S. 417, 11 Sup. Ct. Rep. 530. But see *Morrow* v. *Steel Co.,* 87 Tenn. 262, 10 S. W. 495. Whether notice to the creditor of the "bonus stock" is material, see *Hospes* v. *N. W. Mfg. Co.,* supra; 26 AMER. & ENG. ENCY., § 1012. In general on stockholders' liability to creditors, see FROST, INCORPORATION AND ORGANIZATION OF CORPORATIONS; COOK, CORPORATIONS, Vol. 1, § 46; note to *Rickerson Roller Mill Co.* v. *Farrell F. & M. Co.,* 23 C. C. A. 315; note 33 C. C. A. 23.

COVENANTS—CREATION BY ACCEPTANCE OF DEED POLL.—Land was conveyed to a canal company in consideration and on condition that it construct and maintain a basin thereon. Complainants, the grantors' successors, seek to compel the defendant, the grantee of the canal company, to maintain this basin. *Held,* the acceptance of the deed-poll did not bind the canal company as a covenantor, nor create any covenant that will run with the land. *Dawson et al.* v. *Western Maryland R. Co.* (1907), — Ct. App. Md. —, 68 Atl. Rep. 301.

The rule announced in the principal case is supported by the decisions in *Maule* v. *Weaver,* 7 Pa. St. 329; *Maine* v. *Cumston,* 98 Mass. 317; *Martin* v. *Drinan,* 128 Mass. 515; *Hinsdale* v. *Humphrey,* 15 Conn. 431; *Johnson* v. *Muzzy,* 45 Vt. 419. However, although the existence of a covenant by the grantee is denied, a recovery is allowed against him in assumpsit on the personal contract. *Parish* v. *Whitney,* 3 Gray 516; *Kennedy* v. *Owen,* 136 Mass. 199; *Hinsdale* v. *Humphrey,* supra. The modern weight of authority seems to be that the acceptance of a deed-poll containing such conditions will create a covenant by the grantee, and if the condition affects the estate the covenant will be binding upon the grantee's successors in title. *Sparkman* v. *Gove,* 44 N. J. L. 252; *Hagerty* v. *Lee,* 54 N. J. L. 580; *Atlantic Dock Co.* v. *Leavitt,* 54 N. Y. 35; *Bowen* v. *Beck,* 94 N. Y. 86; *Maynard* v. *Moore,* 76 N. C. 158; *Railroad Co.* v. *Priest,* 131 Ind. 413; *Hickey* v. *Railway Co.,* 51 Oh. St. 40; *Railroad* v. *Reeves,* 64 Ga. 492; *Poage* v. *Railway Co.,* 24 Mo. App. 199.

CRIMINAL LAW—HABEAS CORPUS—WANT OF JURISDICTION.—Petitioner was indicted for "assault with intent, and in the attempt to kill and murder," under a statute making it equally a state's prison offense to assault with intent to kill or commit manslaughter. (Miss. Code, 1906, § 1013.) The jury returning a verdict of "assault with intent to commit manslaughter," it was *held* (MAYES, J., dissenting), that the verdict was responsive to the indictment only in finding an assault, a misdemeanor, and that the sentence of the court as to imprisonment was absolutely void, entitling the petitioner to relief by habeas corpus. *Ex parte Burden* (1907), — Miss. —, 45 So. Rep. 1.

A previous decision of the Mississippi court involving the same statute had held that a variance between the specific intent alleged and proved was